

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York on Tuesday, April 17, 1990 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Denise Civiletti, Councilwoman
Victor Prusinowski, Councilman
James Stark, Councilman

Also Present: Patricia Moore, Town Attorney
Irene J. Pendzick, Town Clerk

Supervisor Janoski called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited .

Supervisor Janoski: "We will go right into the reports."

REPORTS

TAX RECEIVER: Collections as of April 9, 1990
\$21,387,401.29

OPEN BID REPORTS: Water Meters/Water District
Paratransit Bus/Handicap
Traffic Paint/Highway Dept.

APPLICATIONS

SPECIAL PERMIT: Omni Technical Services for a recycling and composting facility, Calverton

PETITION: Extension to parking district at East Main Street

PETITION: Hubbard Estates for sewer extension, Hubbard Avenue

CORRESPONDENCE

SC DEPT. OF PLAN.
4/3/90 If no objection received by 4/23/90 re: Brookhaven Zoning Ordinance Sec. 85-23 and 85.28 presumed there are none

VERONICA LIZZUL
ANNA TILLMAN: Objection to decision not to repair stairs at Reeves Beach

CURTIS HOLLAND:
4/9/90 Suggesting a reevaluation of Town's tax structure

ALBERT SUMMERVILLE:
3/26/90 Submitting intention to retire from Police Dept. as of July 13, 1990

GEORGE LAWRENCE:
4/5/90 Requesting agreement be reached to help restore Vail Leavitt Theatre

HELEN DREISS: Advising that water mains are on her property and fence is being destroyed by vehicles

SHOREWOOD WATER CORP. Questions a "WHEREAS" clause in the recently approved agreement between the Town and Shorewood Water Corp.

CARLA D'ESPOSITO: Requesting that laws for unplated vehicles be enforced in the "Greens" and that curbs and sidewalks be placed in the Highway budget for next year

BOOKMILLER REAL ESTATE 4/4/90: Advising that Catholic Charities contacted them in Oct. seeking to purchase a home for retired nuns

PAUL DEMCHAK:
4/11/90 Advising that his utilities are sinking and area may be dangerous at Hilton Court

CATHOLIC CHARITIES;
4/11/90 Notice of informational meeting re: residence in Aquebogue will be held on Wed., April 18, 8 P.M. at St. John's Church

MOLLY ROACH: Supporting the location of a drug rehab. center in Calverton as well as the men's adult home in Jamesport that currently exists

JOEL MARKOWITZ:
4/10/90 Advising that continued inaction by Town re: Sullivan Mobile Home Park may result in litigation to secure compensation for the property

Supervisor Janoski: "Let me just say that while we did receive notice from Catholic Charities that the meeting will be held at St. John's Church regarding the residence in Aquebogue, a number of people felt that to have the meeting in Church was not the correct form and it has been agreed that the meeting will take place here in this room tomorrow at 8 P.M."

PUBLIC HEARINGS

7:45 P.M.

Amend Section 108-96D (2)
Minor Subdivisions/Application & Fee

7:55 P.M.

Amend Section 108.21A

8:05 P.M.

Amend Section 108-64.3 A and B
Location and Lot requirements

8:20 P.M.

Special Permit of Hallett Avenue
Industrial Park

8:30 P.M.

Community Development Block Grant

Supervisor Janoski: "The list of unfinished business is quite lengthy and the agenda indicates where the particular application is in the process. Time for the first public hearing has not yet arrived. I will recognize anyone who wishes to be heard on any subject. Yes."

Bob Goldman, Dennis Ct. "Nothing environmental today. I just want to commend the Highway Department Crews for doing a really excellent job on Middle Road. They did a nice job with the patch. We had a heavy, heavy, rain yesterday and it seems to be working really well. The drainage is working really well."

Supervisor Janoski: "Good. There was one little problem which I will not get into with that job."

Councilman Stark: "We can't find our sewer caps. They blacktopped over the top of them."

Donald "Cy" Walsh, Riverhead: "I read in the paper a little bit ago, about our esteemed District Attorney wanting to keep some courts back in Hauppauge. I was wondering if the Town Board had made any move on that situation?"

Supervisor Janoski: "I didn't read the story that you read about. The County Legislature reneged on it's promise last year to provide four million dollars for the improvement and constructions of additional courts in the Town of Riverhead. That was money that was removed from the budget. We will do our best to see that they live up to the agreement that was hammered out, I believe in 1981, in which we are supposed to keep the current twelve parts of Supreme Court which are here, and that any future courts created would be allocated in a 2 to 1 ratio, one to the Eastern Courts and two to the Western Courts. They don't have a Western facility at this time so I don't know where-----"

Cy Walsh: "I understand his big push is with the Chief Judge."

Supervisor Janoski: "Ok. Cromarty."

Cy Walsh: "He seems to be real perturbed that Cromarty more or less has asked to bring some of the courts out here."

Councilman Stark: "Bringing them all. Joe, all Criminal Courts."

Cy Walsh: "Well, whatever we were entitled to."

Supervisor Janoski: "The Criminal Courts they happily put out here. It was the Supreme Court parts that we wanted to retain. That building which was recently completed, next to the County Center; that's all Criminal Court. There is some logistical problem that the D.A. may have as far as Criminal Courts being in the West. I would hope that they would take some of them back there, I'll tell you the truth, because what they are trying to take from Riverhead is the Supreme Court, the civil parts."

Cy Walsh: "That's number one. Number two is: "How do I get a copy of these Fire Codes that the Town of Riverhead has?"

Supervisor Janoski: "I'm sure that the Building Department would be able to supply that to you."

Cy Walsh: "It hasn't been able to. I've been there."

Councilman Stark: "Have you got anything like that Irene?"

Councilwoman Civiletti: "It's a NYS Code."

Irene Pendzick, T. Clerk: "I get mine from (inaudible)."

Supervisor Janoski: "What Cy's addressing, I believe, is something called the Fire Limits."

Cy Walsh: "Whatever. It says Fire Codes in this situation."

Supervisor Janoski: "Well if they don't have it, I don't know what they are enforcing?"

Irene Pendzick, T. Clerk: "They have it. Come to my office, I'll get it for you."

Cy Walsh: "Thank you and I thank the Town Board."

Councilman Stark: "Don't feel bad Cy, I haven't gotten mine yet either."

Supervisor Janoski: "I do believe that they were never properly enacted. Alice, do I see your hand up there? Is that your Easter Bonnet?"

Alice Graff, Riverhead: "No. It's a rain bonnet. Speaking of the courts, on Channel 12 the other night, they were talking about all the errors that have been made at the new complex. Like when the witnesses can't even see the person that is being charged. It is a horrendous situation. Who's going to pay for

it? The way that Tom Stark spoke as if, well it's very minor, all of these expensive items will be taken care of. But by whom? Who's going to pay for that? Are we going to pay? Would you check that out please?"

Supervisor Janoski: "If the contractors built it to design, it would be the County's responsibility to pay for any changes."

Alice Graff: "It goes into our taxes no matter how you slice it."

Supervisor Janoski: "Absolutely. If in fact, it was designed differently than it was constructed then I would hope that they would go after the contractor to correct it."

Alice Graff: "I hope so. As I say, Tom Stark was very blase' about the whole thing. Thank you."

Supervisor Janoski: "I thought I just saw Chris come in. Did I?"

Several people: "Yes."

Supervisor Janoski: "Chris, did you hear that question?"

Chris Hogan: "No I didn't."

Supervisor Janoski: "Ok. Well I'll ask it later. Maybe Chris can find out for us. Thank you." We have four more minutes left. Cathy Casey."

Cathy Casey, Wading River: "I want to back up here and share a little bit of information with regards to the 7-11 hours. I'm sorry to keep beating this, but the Community of Wading River is extremely concerned as to where we are going with this. I might also just throw in a little thought. I've had a few people from surrounding towns, mainly Shoreham have asked me about it. They, too, are just as concerned as we are. I will go back to and suggest, that based on the Hamlet Study, well it might have been left out by mistake, that the hours that were suggested in the Hamlet Study be adopted and if that means that you have to perhaps process an amendment to the zoning laws for Wading River, then as a suggestion I would like to make that now to you. You know our feelings. I'm singling out the 7-11 only because that's been the issue. As an overall the Town of Wading River doesn't want any 24 hour a day businesses in town. Frankly, I don't think these surrounding communities want to see it either. We will be back. But in the meantime if it is possible, if you have it, we would also like the name of the gentleman who was going to; I believe he was here a couple of meetings, especially during the Hamlet Study. The gentleman who is going to be owning or franchising, whatever the case may be, the 7-11. And if possible the name and address for Southland and perhaps one of their executives, if you have it. We are considering writing directly

to them also and sharing our concerns. But in the meantime, we would like if possible, if need be, to make an amendment to the zoning for the purpose to make sure that this nor any business is open 24 hours a day in Wading River.

In addition, the professional building east of the Ice Cream Factory and the current professional buildings. I understand at the last meeting, you indicated that you were going to be fining him or had fined him \$5,000.00 because he had not come through with a restoration plan."

Supervisor Janoski: "No."

Cathy Casey: "Then would you update me. What we are concerned about; we would have thought that a Stop Work Order meant exactly that. That they were supposed to stop work, period!"

Supervisor Janoski: "They did."

Cathy Casey: "Well, I've got to tell you something. Since I was last here approximately a month ago, those walls are going up awful fast for a stop work order. That building is still moving along."

Supervisor Janoski: "The restoration plan was brought in and accepted. As a matter of fact, the planting for the most part, has been accomplished and they have been fined \$5,000.00 also."

Cathy Casey: "Can you just elaborate for me, just a little bit, on the restoration? Meaning, what are they going to be doing?"

Supervisor Janoski: "No. They have done most of it as far as I know. Trees have been planted."

Cathy Casey: "In the back, the front? We went past there tonight and ok in the back. When you say trees, are talking about twigs or are we talking young trees?"

Supervisor Janoski: "Well they are not old trees."

Councilman Lombardi: "Kenny was there last night."

Ken Testa, T. Engineer: "They are pine trees."

Cathy Casey: "Approximately how high are they?"

Supervisor Janoski: "A minimum of 5 feet as I recall."

Cathy Casey: "Now is that all he is required?"

Supervisor Janoski: "No. They put in some other kind of tree too, which had a caliper requirement, which is the thickness of the trunk."

Cathy Casey: "You know this happened in Middle Island and the people are up in arms as well. These people are taking out these beautiful healthy trees and when they are forced to restore, they are putting in a twig with nothing on it, that is going to take ten years before, at least, before you are going to see any kind of a buffer from what they have already destroyed. So this is why I'm emphasizing. Have we got twigs or have we got a young tree that maybe in a few years will start, tops, giving some protection?"

Supervisor Janoski: "Do you remember the minimum caliper of the trees?"

Ken Testa, T. Engineer: "They are healthy trees. They are not twigs. They're landscape grown. They are 4 to 6 feet high. The trunks are probably 3 to 4 inches in diameter."

Councilwoman Civiletti: "If they comply with the restoration plan they submitted, it should be ok. We need to make sure that they comply with it."

Cathy Casey: "Alright and when are they going to be doing this type of work. I presume that it is going to be the same in the front of the building or closer to 25A."

Supervisor Janoski: "The front of the building was not in question. However, the site plan did call out some requirements for landscaping. I couldn't begin to tell you what that is."

Cathy Casey: "Well, I believe under the Hamlet Study it was agreed that it was supposed to be a fifty foot buffer, both in the back and in the front."

Supervisor Janoski: "Buffer in this case means a distance."

Cathy Casey: "Yes, but the buffer also entailed leaving the trees."

Supervisor Janoski: "Cathy, I don't know, maybe we are having trouble communicating. What we went after, as far as the Stop Work Order, was the result of someone on a bulldozer taking down some trees. That's one issue. That has been taken care of. There was an immediate Stop Work Order. We worked out an agreement as to a restoration plan. To the best of my knowledge that restoration plan has been accomplished and they have been fined \$5,000.00. That's one issue."

The second issue is the buffer zone, the requirements of landscaping as part of the site plan. I don't know or I don't think anybody will remember what that site plan entailed, because

it was approved probably months and months ago. But there is a requirement for landscaping and they must comply with what that site plan calls out."

Cathy Casey: "If I check the Hamlet Study and I can draw what I just said to your attention---point being that the Hamlet Study was already there before this approval of this site plan was made. That's my point."

Supervisor Janoski: "That has nothing to do with this, with the exception of there is a 50 ft. set back requirement. You may call that a buffer zone. What exactly is to be planted as far as landscaping, is worked out in the site plan and ultimately approved by the Town Board. Whatever the Town Board approved and whatever they were required to put as far as landscaping will be there."

Irene Pendzick, T. Clerk: "Would you like me to send her a copy of the site plan?"

Supervisor Janoski: "Could you make a copy of it? Cathy would you like a copy?"

Cathy Casey: "Yes. Please do. Do I have another minute or am I over?"

Supervisor Janoski: "Sure."

Cathy Casey: "Nonresidents for the beach parking. This was asked approximately two weeks ago and I am just looking to verify it. What is the cost for a nonresident to park at the beaches? It's \$5.00 for residents and what is it for nonresidents?"

Supervisor Janoski: "I believe it is \$25.00."

Cathy Casey: "A year."

Supervisor Janoski: "No, per visit."

Cathy Casey: "Ok. If I may make a suggestion."

Supervisor Janoski: "Wait a minute."

Councilwoman Civiletti: "I don't remember the numbers, but it wasn't \$25.00 per visit."

Someone from audience: "You said \$100.00 at the last meeting."

Supervisor Janoski: "Yes."

Councilman Lombardi: "It's a \$100.00 for the year."

Councilwoman Civiletti: "Do we have the new amendment in the code?"

Supervisor Janoski: "It is a lot steeper."

Councilwoman Civiletti: "It had been \$25.00 and we either doubled it or tripled it."

Cathy Casey: "Ok. I'll converse with you just because I would like to get it--- what we are concerned about here, which is as you recall, we have complained and I'm sure other towns have a similar problem, is the enforcement of the stickers, for example, in the past. We didn't have that. There were numerous occasions over the years that the people in the Town of Wading River did call even the police and the police really didn't ticket cars and so forth. And certainly neither did the beach attendant."

Supervisor Janoski: "Well how about if we also send you a copy of all the summonses that were issued for nonpermit having."

Cathy Casey: "What do you want me to do, start a box here and a file?"

Supervisor Janoski: "What I mean is that you can't make a blanket statement that the police never ticket."

Cathy Casey: "No, no, no. I'm just saying that we would like to see it enforced. We would like to see it enforced, Joe, that's all we are saying. It's fine to say that we are going to do this, but if we don't have proper enforcement there is no sense in having a law if it can't be---I know that they can't be 100% enforced, but we would like to be a little bit better at it."

Councilman Lombardi: "I've got over 75 tickets that were submitted from the Chief and that was last year."

Cathy Casey: "So maybe we are getting a little bit better action this year."

Councilman Lombardi: "That was last year when we had our problems down there."

Supervisor Janoski: "That was last year. There is no beach season this year."

Cathy Casey: "That's true. Your right. We are early in 1990."

Supervisor Janoski: "Cathy, I have to say this. As I do on many occasions in this meeting. At any point and time there are probably five officers in the Town of Riverhead. Of course, in any enforcement scenario you have a hierarchy of what you think

is priority and giving out summonses at the beach is not up there with drug enforcement and other things. But I think they are doing quite a job in a number of summonses that were given out."

Cathy Casey: "Ok. Then I stand corrected and I commend them for it and sincerely hope that that continues."

Councilman Stark: "We have your answer."

Supervisor Janoski: "The fee for the issuance of a nonresident parking permit shall be \$75.00 annually or \$10.00 daily. There were some people who wanted it to be \$25.00 daily."

Cathy Casey: "Just one more quick thing on the restaurant. Was the site plan approved on the restaurant, the old Brittany, down in Town?"

Supervisor Janoski: "No. As a matter of fact I asked about that when you had mentioned that to me on the phone. We have nothing."

Cathy Casey: "Was it just a conception that it was approved?"

Supervisor Janoski: "Nothing has been approved. I mean if they get in the information that I gave you that time line, they could get approval, but no one is submitting the information that we need."

Cathy Casey: "Then I'm going to have to confer again with Brenda because at the very least, I thought that the ARB had approved his conception."

Supervisor Janoski: "It could be that there is a conceptual agreement before the ARB, but that is not approval. The Town Board approves it."

Cathy Casey: "So there is nothing new as of today on this. Because I expect to speak with him tomorrow night prior to coming to our meeting."

Supervisor Janoski: "Give him hell. Cathy, also next month, I think it's next month, we have scheduled---"

Cathy Casey: "May 1st."

Supervisor Janoski: "The hearing on the dangerous and hazardous building in that location. Let the record show that it is 7:52 P.M. Let the Town Clerk will please read the notice of public hearing."

Irene Pendzick, Town Clerk: "I affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, April 17, 1990 at 7:45 P.M. to hear all interested

persons who wish to be heard regarding a PROPOSED AMENDMENT TO SECTION 108.96D-2 OF THE TOWN CODE RE: APPLICATION OF FEE FOR MINOR SUBDIVISIONS. We have correspondence from Pine Barrens Commission, S.C. Department of Planning. Both of them say that it is a matter of local concern."

Patricia Moore, T. Attorney: "The change is the fee schedule which shows a Minor Subdivision Application would require a fee of \$50.00 per lot. The clarification, it used to say \$50.00. It's per lot. For a lot line change it's \$20.00 per lot. Those are the only two changes."

Supervisor Janoski: "Is there anyone present wishing to address the Town Board on these changes. That being the case and without objection, I declare the hearing to be closed. I have two minutes remaining before the next scheduled public hearing. Henry."

Henry Pfeifer, Wading River: "I've just one question. Some while back there was some talk of a Community Center being erected here in the Town of Riverhead. Can you tell me where that is at the present?"

Supervisor Janoski: "It's waiting for money. We had applied to the State of New York under the Ridge Bond Act. I think that there is a Highway Transportation Bond. Maybe it was the Environmental Bond Act which had a provision for recreational facilities. We did not get an award this year. We applied for three million, I believe."

Henry Pfeifer: "And you reapplied for the same thing."

Supervisor Janoski: "Oh yes we will be in a better position for the next round, if the State has any money for that program to continue."

Henry Pfeifer: "Alright, thank you."

George Dalecki, W. River: "I'm an impatient man. I'll go sit right down if you tell me so. But it seems to me that two weeks is a long time to roll a piece of office machine equipment out of the hallway. What's the story on that copy machine?"

Supervisor Janoski: "Does it really bother you?"

George Dalecki: "Yes, it does. Do you want me to tell you why? Because I'm a serviceman for that particular company. I take offense at seeing something sitting for four years with an out of order sign, giving me and the company a bad name."

Supervisor Janoski: "To tell you the truth I never thought about it all two weeks, during the whole two weeks."

George Dalecki: "Well is Bill Heard going to be in tomorrow? Does Bill Heard still work here?"

Supervisor Janoski: "Yes he does."

George Dalecki: "Well how about we get on it tomorrow."

Supervisor Janoski: "And that very nicely filled up the minute. Let the record show that the hour of 7:56 P.M. has arrived and would the Town Clerk please read the public hearing."

Irene J. Pendzick, T. Clerk: "I have affidavits of publishing and posting for a Public Hearing to be held in the Town Hall of Riverhead on April 17, 1990 at 7:55 P.M. to hear all interested persons who wish to be heard regarding a proposed AMENDMENT TO SECTION 108.21A OF THE TOWN CODE RE: PERMITTED USES. Again we have correspondence from the S. C. Department of Planning and Pine Barrens saying that it is a matter of local consideration."

Patricia Moore, T. Attorney: "We are adding temporary greenhouses to the Agricultural A Zoning District similar to the other provisions that we had adopted two weeks ago. The property has to be a minimum of 5 acres and it would be subject to site plan review."

Supervisor Janoski: "Thank you Pat. Is there anyone present wishing to address the Town Board on this matter? That being the case and without objection I declare the hearing to be closed. Is there anyone who has any subject left that they would like to speak about? Dick Benedict and we will get to you next George."

Dick Benedict, Riverhead: "And I'm sure that you won't be able to remove mine as easy as that machine. That building across from Tryac that I've been talking to you about for a couple of years. I see some junk trucks got moved, but the trailer is still there. The building is still there. It is surrounded by junk yet. The red light in that trailer has been on for years. There is a light outside that has been on for years. People just don't pay electricity for nothing, do they? Why can't we get that thing down?"

Councilman Lombardi: "Dick, I spoke to the attorney today that represents Mr. Reese and that will be removed in two weeks. It has taken that long to get this place removed."

Dick Benedict: "This has been years."

Councilman Lombardi: "There has been a tenant who has been renting that and the Lighting Company will not turn off the electricity until this person is out of there which he should not have been there in the first place as far as I'm concerned. I spoke to the attorney today and in two weeks that will be gone."

The trucks are gone and the vehicles and the mobile home there will be removed and the building."

Dick Benedict: "We don't have to pay to clean it up like we did after the fish market moved."

Councilman Lombardi: "No, no. They're going to clean it up."

Dick Benedict: "Ok. Thank you."

George Schmelzer, Calverton: "I didn't hear what was going on about the greenhouses. Geez you're going to start to bother people with greenhouses. It's getting so that they have people coming in every meeting to complain about other people. That's all you hear about. They complain and there are jealousies. Maybe that some people have a successful business and they don't like it and they are jealous of it. They say that guy shouldn't be there. I'll get down to what I'm here for. What are you doing about this river nonsense? Scenic river, wild river, recreational river, what's being done to protect the Town."

Supervisor Janoski: "Your friend the Commissioner of the DEC is going to be arriving in Riverhead on 26th of this month."

George Schmelzer: "My friend? Maybe he is your friend, but not mine. The 26th of April?"

Supervisor Janoski: "Yes."

George Schmelzer: "How long is he going to stay here?"

Supervisor Janoski: "I guess long enough to take a look at the river and the situation around it and along the length of it."

George Schmelzer: "You going to give him a boat ride?"

Supervisor Janoski: "Nope."

George Schmelzer: "I suggest you give him a boat ride and find where that last stump is first. So the boat can be hung up on a stump for the rest of the day. It would be good if it's a rainy day too. What's he going to be shown?"

Supervisor Janoski: "He is coming down to view the situation first hand. You may recall that I went up to Albany a few weeks ago with maps and aerial photographs and he was receptive, but he decided that he wanted to come down and take a look in person."

George Schmelzer: "Did you suggest to him or has the Board suggested or made a motion to push the control area westerly from Peconic Avenue to the Navy Land west of Edwards Avenue, that we spoke of before?"

Supervisor Janoski: "No."

George Schmelzer: "Why not."

Supervisor Janoski: "Because there are those things which we think can be accomplished and that's not one of them."

George Schmelzer: "You haven't accomplished anything yet by all this nonsense. By being a wimp. Maybe stop being so wimpish."

Supervisor Janoski: "Well, George, as a citizen of the State of New York, why don't you make it your business to be present when the Commissioner is here and ----"

George Schmelzer: "I wrote the so and so a big letter last year. He never answered it. Never had the courtesy for an answer."

Supervisor Janoski: "I don't know what you expect your Town Government to do. We are doing the best we can and trying to work out some kind of an agreement."

George Schmelzer: "You loused it up in the beginning, that's why."

Supervisor Janoski: "Ok."

George Schmelzer: "No. It's not ok. What's ok about it? It was ok for somebody to bring it back from the bay to Peconic Avenue. Whoever had that influence, I don't know. Maybe you know. Was that you? If you had that much influence, you would have enough influence to bring further back west."

Supervisor Janoski: "Well, Geo---I'm not going to argue this point."

George Schmelzer: "I'm just asking you. Can never get a straight answer."

Supervisor Janoski: "I'm giving you the answers that I can. As far as I know, the Town of Riverhead has always opposed the Wild Scenic Recreation Rivers Act. After it was enacted over our objections. You are absolutely right, there was a resolution which called upon them to make the designation, but you have to read the rest of it so that the moratorium would be lifted. It was already done."

George Schmelzer: "You mean you traded this for the moratorium? What we've got now, you traded that for the moratorium? We took out the moratorium and traded for this and now this is permanent."

Supervisor Janoski: "That's your characterization George. You can believe what you want to believe. I was there and took part in it so I know what happened."

George Schmelzer: "I'd rather not believe it. I suspect that's what it is."

Supervisor Janoski: "George, the Commissioner of the DEC as well as all the officials and civil servants that work in the DEC are your servants and I would suggest along with the State Representatives to make your feelings known to them. This Town Board and previous town boards have taken a position, the original town board, which I think was in 1985, opposed the Rivers Act. Now, what do you want us to do? It was enacted over our objections."

George Schmelzer: "I don't remember it that way. You sort of ---you followed Ken LaValle around. Your friend. He started this."

Supervisor Janoski: "I can't deny that. Ken LaValle enacted it over my objections and the Town Board's objections."

George Schmelzer: "Bring him down here."

Supervisor Janoski: "He is in office and why don't you visit his office. I will call and make an appointment for you."

George Schmelzer: "When I call his office, his office leader, whatever his name is, I forget his name."

Supervisor Janoski: "John Kreutz."

George Schmelzer: "Kreutz?"

Supervisor Janoski: "Yes."

George Schmelzer: "He said the only one who came to the meeting and objected to it was me. None of the Town Board did. That's his words in substance."

Councilman Prusinowski: "What meeting?"

George Schmelzer: "Ken LaValle's, his assistant, name is Kreutz I think? When I call LaValle's office-----"

Supervisor Janoski: "If John Kreutz said that, so be it. But John Kreutz knows that I have talked to him probably fifty times on the telephone, raising hell about this Rivers Act. In the years that I have been a friend of Ken LaValle's this has really tested that friendship. We disagree on this particular thing. Now he is a little more supportive of my position. We are trying to work out a consensus agreement here George. I don't even know why I'm discussing this."

George Schmelzer: "Maybe Kreutz will give you a different answer. To me maybe answers of convenience. Depending who he is speaking to."

Supervisor Janoski: "George, you are a taxpayer. You're a citizen of Suffolk County in the Senator's district. I think you should demand an appointment to see him to find out what his position is."

George Schmelzer: "How about inviting Joe Sawicki and Ken LaValle here to a public meeting together with the Town Board?"

Supervisor Janoski: "We have extended that invitation verbally. Was that you that made that request before?"

George Schmelzer: "Did you do it by resolution or just personally?"

Supervisor Janoski: "If you would you like to have a resolution ----"

George Schmelzer: "Make a resolution like that. Get him down here. Announce it in the paper. We'll give him the third degree and we will find out who is a liar, if anybody."

Supervisor Janoski: "George, he has an office. I would suggest very strongly that you go down and visit him in his office."

George Schmelzer: "He won't be there. You make an appointment and he will be busy or out of town. There is always some excuse."

Supervisor Janoski: "George, the State Legislation enacted over the objections of the Town Government of the Town of Riverhead in 1985."

George Schmelzer: "How about making a resolution inviting those two characters down here."

Supervisor Janoski: "I'm not going to introduce any such resolution."

George Schmelzer: "What are you afraid of."

Supervisor Janoski: "I'm not afraid of anything. They are elected officials. If you can't deal with them, you don't need this Town Board to make (inaudible)."

George Schmelzer: "You should deal with them. The Town Board has more power than me. I have no power."

Supervisor Janoski: "I don't know about that."

George Schmelzer: "Yeah. I think your scared. Something might come out that you don't like. But as far as the DEC being our servant, try dealing with that. See who's the servant."

Supervisor Janoski: "George your five minutes are just about up. Could you wrap up your comments so that we can move on here."

George Schmelzer: "Yeah. Can I use anybody elses five minutes?"

Supervisor Janoski: "No."

George Schmelzer: "Guess I'm stuck then."

Supervisor Janoski: "No, it's us that's stuck."

George Schmelzer: "Your stuck. No. Don't be such a wimp. Invite them down here by Town Board resolution. I think you're afraid to."

Supervisor Janoski: "I think your afraid to, George."

George Schmelzer: "I'm not afraid. I can't get the power. You got the power. Three of these guys, each one pointing the finger at each other, it would be quite interesting, wouldn't it."

Supervisor Janoski: "George, I don't have a vote in the State Senate or the State Assembly."

George Schmelzer: "I know you don't. I'm talking about the Town Board not the State Senate. Bring them down here in body by Town Board Resolution. It will be very embarrassing for them not to come. It will be embarrassing to be here, but not as bad as to refuse to come."

Supervisor Janoski: "Ok. Thank you George."

George Schmelzer: "Do you really mean that."

Supervisor Janoski: "George, you are always a welcome guest here. Let the record show that the hour of 8:08 has arrived and the Town Clerk will please read the notice of public hearing."

Irene J. Pendzick, T. Clerk: "I have affidavits of publishing and posting for a Public Hearing to be held at Riverhead Town Hall on Tuesday, April 17, 1990 at 8:05 P.M. to hear all interested persons who wish to be heard regarding a PROPOSED AMENDMENT TO SECTION 108-64.3 OF THE TOWN CODE REGARDING LOCATION."

We have again correspondence from the S. C. Department of Planning and the Pine Barrens Commission saying it's a matter of a local determination."

Patricia Moore, T. Attorney: "As to the temporary greenhouses. We've created a set back requirement that in an "Ag A" Zoning District the minimum front yard set back is 40 feet. The minimum side yard set back is 30 feet and the minimum rear yard is 40 feet. Those are the only changes."

Supervisor Janoski: "Thank you. Is there anyone present wishing to address the Town Board in the matter of these changes in the temporary greenhouse provisions? Yes George, I have to recognize you by law."

George Schmelzer: "Maybe you'll make a resolution that the grass won't have to grow in certain places. That sounds like it. Now, why don't you leave the greenhouses alone? Let people alone."

Supervisor Janoski: "George, let me explain to you that this is an enactment that the Long Island Farm Bureau wanted and that we worked with over a course of several months to come up with this legislation. This allows them to have temporary greenhouses under certain conditions, granted, but it's legislation that they wanted. It's legislation that they took part in creating, and they are very happy about it."

George Schmelzer: "You mean you stuck a gun to their head and asked them "What do you want?" And this they came up with. Who initiated this stuff? First talk of it. I doubt it was the Farm Bureau."

Supervisor Janoski: "Do you have a position on this? Are you for it or against it?"

George Schmelzer: "I'm for leaving people's greenhouses alone. You've got so many d--n ordinances and laws. Just for the sake of controlling people. People could build greenhouses before and nobody bothered them, they didn't bother anybody."

Supervisor Janoski: "That's not true George, and you don't really know what you are talking about. I wish you would just make your statement as to whether you are for this or against it and why."

George Schmelzer: "I can't see any control of greenhouses on farmland. That's it. Thank you."

Supervisor Janoski: "Good. Well we have in this ordinance, relaxed the control on the greenhouses. But thank you for that part of the evenings entertainment. The Public Hearing for Section 108.64.3 is now closed at the hour of 8:11 P.M. Is there anyone who has any question or anything they would like to say on any matter, anything on the agenda, resolutions?"

George Dalecki, Wading River: "I presume it's a typo, but in the Unfinished Business, Change of Zone section, second listing from the bottom, it says "Business CR to Business CR."

Supervisor Janoski: "Yes. There are two CR's in existence in the Riverhead Town Zoning Code. One was the original one that was enacted several years ago. The second is the Wading River CR which exists only in Wading River."

George Dalecki: "Can you please tell me who EFCO-FA Development is and what it is about?"

Supervisor Janoski: "I have no idea who they are. I'll tell you why they are asking. For whatever reason the Wading River CR allows a higher density of development, higher percentage of lot coverage than the original CR. So what they are after, of course is, that higher lot coverage."

George Dalecki: "But, who was the applicant? You don't know that?"

Supervisor Janoski: "I have no idea. That kind of application goes to the Planning Board before it reaches the Town Board. When they're finished with it, then we deal with it. We work on their recommendation."

George Dalecki: "Thank you."

Supervisor Janoski: "Your welcome. Yes, George."

George Schmelzer: "Got to keep the meeting going, so not to end to early. Was it a year or two ago that the Lighting Company wanted to put generators down in Northville? The Town wouldn't allow them so they are down in Shoreham now. We have a parade of tanker trucks from Northville supplying them with fuel. So the fuel comes from here. The trucks are on the road all day and maybe part of the night and we lost the tax base. That was a nice job the Town Board did that time. That's smart. You're looking for a tax base and anybody comes along, give them a hard time, you're not allowed. That's typical, it seems to be. I think if Northville had come in after zoning started in 1959 they wouldn't have been there, we would have a less tax base. Of course it wouldn't got sued for the taxes either because there wouldn't be any taxes. So that's the perpetual promise of the Town Board to make it difficult and impossible for anything new in the city to come in. Or you listen to some people complain about it. If you listen to these few complainers, there will never be anything. If that was the policy of the nation a hundred years ago, we would have no country. We would have had no railroads, no airplanes, no cars, no nothing. Yeah. Maybe no barge canal either. Ok. Thank you."

Supervisor Janoski: "Thank you George. Is there anyone else wishing to address the Board on any matter? Anything on the agenda? Any resolutions? Let us take up the resolutions. Let us take #264 out of order and do that one first."

RESOLUTION #264 - PROMOTION TO CAPTAIN

COUNCILMAN STARK: It gives me great pleasure to present this resolution tonight.

Whereas there exists a vacancy in the Police Department for the position of Captain, and,

Whereas the Suffolk County Department of Civil Service has presented a list of eligibles for said position, now therefore,

Be it Resolved, that Donald Robinson, is hereby promoted to the position of Captain at an annual salary of \$63,641.30, effective April 19, 1990, and

Be it further Resolved, that the Town Supervisor is hereby authorized to enter into and sign an employment contract with Donald Robinson.

Moved by Councilman Stark and seconded by Councilman Prusinowski.

The vote: Prusinowski, yes; Stark, yes; Civiletti, yes; Lombardi, yes; Janoski, yes.

Supervisor Janoski: Donald would you step forward and the Chief will present you with the Captain's Bars. Congratulations."

Supervisor Janoski: "Let the record show that the hour of 8:20 P.M. has arrived and the Town Clerk will please read the notice of public hearing."

Irene J. Pendzick, T. Clerk: "I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, April 17th, 1990 at 8:20 P.M. to hear all interested persons who wish to be heard regarding the SPECIAL PERMIT APPLICATION OF HENRY POLLAK TO USE SUBJECT PREMISES FOR NON NUISANCE LIGHT INDUSTRY AND WHOLESALE BUSINESS USE AT HALLETT AVENUE.

We have correspondence from the Pine Barrens Commission saying that the subject property does not come under the jurisdiction of the Commission."

Supervisor Janoski: "Thank you. I take it that you are representing the applicant."

Stephen Angel, Esq., Riverhead: "Yes I am. Stephen Angel. Essex, Hefter and Angel in Riverhead. I already knocked over a piece of paper. I represent the Henry A. Pollak Corp. and we are making an application for a special exception or special use permit for property located on Lincoln Street and Hallett Avenue in downtown Riverhead. This application is made necessary by 108. Section 108-48B of your code. The property is located in the Industrial B Zone. It has an existing building on it which is being refurbished and another building will be built upon it. We

want to use, our client wants to use those two buildings for either non nuisance industry or warehousing for a wholesale distribution business also as a non nuisance business. And we set forth in the application five different uses that we want to use the two buildings for. One is for the fabrication of sheet metal duct work. In connection with that particular use, I want to advise you that the client has entered into a lease with a company called Metal Tech, contingent upon a Special Permit for one of those buildings. The building that's actually in existence.

We'd also like the right to use the buildings for plumbing, heating, electrical supply houses, building contractors trade shop, a mail order business or some nontoxic or some wholesale distribution center or mailorder center for nontoxic consumer type material.

The reason that we are asking for these different types of uses in addition to the particular sheet metal use that we have in question, is that we'd like to have some latitude to go out and try to rent the other industrial building without having to come back to the Board for a particular type of use. I want to also bring to your attention that this is not the beginning of the administrative process for this particular application. This application was the subject of a variance issued by your Board of Appeals, in fact two variances issued by your Board of Appeals. One dated September 23, 1988 and once again one dated, March 13, 1990. The reason for the two variances, which are identical, is that there was such a long delay in acquiring all the additional permits, that we had to make a new application for a variance to use a particular property for one of the Industrial B permitted uses. I have copies of both those variances here and I'd like to hand them up to the Board. I have a few other documents so I'll hand them up together.

Interestingly enough, even though the property is located on Hallett Avenue and Lincoln Street, north of the railroad tracks, next to existing buildings, we had to make a DEC application under the Wild and Scenic and Recreational Rivers Act. That was the application that resulted in the substantial delay. The DEC has approved our application. I'll tell you, this Wild and Scenic Rivers Act when it applies to Hallett Avenue and Lincoln Street is a little bit beyond my imagination, let alone my logical thought processes. Here's our DEC Permit. The DEC in their wisdom limited us on our use of the property to only light industrial and warehousing. Industrial "B" allows other types of uses. I'm not too sure why or how the DEC came up with that limitation, but they never the less did. In addition, we've been before your Board and have acquired site plan review for this particular property and here is a copy of a resolution of site plan approval which was issued by your Board several months ago, I don't have the date in front of me. In addition, the applications also have been reviewed by the Architectural Review Board and have been passed by the Planning Board of the Town of Riverhead. So that we have a relatively small parcel with one existing building and one proposed additional building, we have not lack for review. Let me hand these up to you.

I want to point out just a few things and I'll wrap up my application. First, I think it's fair to say [do I have to speak into this thing, you can hear me].

Supervisor Janoski: "It's being recorded also."

Stephen Angel: "Ok. I'm used to yelling at these public meetings. I think it's fair to say, or fairly reasonable to say, the uses that we are looking for are probably less offensive than some of the uses that are permitted as a matter of right in the Industrial "B" District. For example, a car wash is permitted as a right in the Industrial "B" District. A dry cleaning or laundry. An exterior storage yard. We don't seek to have exterior storage. You can do these as of right. For a non nuisance industry or a wholesale warehouse type operation also of a non nuisance nature, we have to come to you.

Last, before my concluding remarks and introductions of people here to answer your questions. I looked through the ordinance to look at the standards that you have to determine that we meet before you can issue a special permit and there contained in Section 108-3E, I believe the code as relatively recently amended and there are four standards that you have to determine that we comply with.

The first is that the use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood. In connection with this particular factor, I want to point out that we are an Industrial "B" Use. A special permit is not a discretionary application on the part of the Board if we meet these criteria, you are supposed to issue it. In my drive around the area, certainly the uses would be consistent with what is there. The buildings would be consistent with what is there. There's a yard. It looks like the railroad uses the yard, right down there at the end of Hallett. There's the Suffolk County Parking Lot. There's the existing Industrial Building on the property and the property abuts a commercial area where many of the houses have already been altered to a commercial use.

The second factor is the hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the Town. I just don't see any disadvantages to the neighborhood by the uses that we proposed. As you know the buildings that are going to be constructed on the property have already been approved. The uses that we intend to place in there with your approval will not lead to odors, toxic substances, loud noises, etc.

The third factor the health, safety, welfare, comfort, convenience and order of the Town will not be adversely affected by the authorized use. Again we don't intend to do anything that will burden the sewer system or make the air full of toxic odors or do anything disadvantageous to the Town. We intend to put in clean uses. Stuff that we are just moving around are fabricating, existing; in one case, existing pieces of steel and in the other cases that we proposed, really just storing on an

interior basis, building supplies or wholesale items.

And finally, the fourth factor, is such use in harmony with and promote the general purposes and intent of this chapter. I submit that since it's an industrial zone, it's zoned industrial, the buildings are permitted there. After all these approvals, that what we propose is consistent with zoning.

Now, before I finish, I have brought with me tonight, the applicants construction consultant and person who is most familiar with the project, Mr. Richard Israel and also the prospective tenant for the existing building, Mr. Dan Jones, who runs a corporation or a company known as Metal Tech and fabricates metal duct work. If you have any questions, would like to direct questions to me or to these two gentlemen, they are here at your beck and call. Thank you."

Councilwoman Civiletti: "Can I ask a question? It's not really germane to this particular application before this Board, but well it is, because I think it's the heart of the reason why you are here. About how long did it take to get the DEC permit? When did you apply?"

Richard Israel: "How long did it take? Fourteen months."

Councilwoman Civiletti: "In your application, was it an application to cite non nuisance light industry, warehouse facility or-----"

Richard Israel: "Under the Peconic Rivers Act, basically the only commercial uses that are allowed are light industry and warehousing. The only other commercial uses that are allowed are accessory uses that would basically be generated by recreational area, like maybe a small restaurant or snack bar, restroom facilities, token shops or things of that nature."

Councilwoman Civiletti: "What is the approximate distance from the river for that site?"

Richard Israel: "Half a mile. I believe the half a mile line is Pulaski Street and we are one block south of that."

Supervisor Janoski: "It's got to be further than that."

Stephen Angel: "There is a lot of environmentally sensitive area between here and the river that they want to protect. Especially since all the stuff flows into the sewer system anyway. Right?"

Councilman Stark: "We are not here to argue with you."

Stephen Angel: "Excuse me."

Councilman Stark: "We are not here to argue with you."

Stephen Angel: "Oh no. I mean they're just, it's just--- it's a misapplication of a law in this particular case."

Councilwoman Civiletti: "Do you have a problem with my question, Jim?"

Councilman Stark: "No. I have a problem with him."

Councilwoman Civiletti: "Oh."

Supervisor Janoski: "Alright, anybody else on the Board have any question? Ok. Now let's see if anyone present wishes to address the Town Board in the matter of this application for a special permit on property on Hallett Avenue in Riverhead. Yes sir."

A. J. Travis, Riverhead: "My name is A. J. Travis and I live diagonally across the street from the property from the Industrial Park. I would like to ask the Town Board to please exercise as much control as possible for exactly what type of businesses do operate on this parcel. I realize that Riverhead Town needs to increase its tax base to help ease property taxes and that it is the responsibility of every individual to endure certain nuisances for the good of society."

However, I sincerely believe that this community is already overburdened. Our community, where they plan to build an Industrial Park, is only one block north of the train station and Railroad Avenue. We are only one block south of the schools. We are one block south and east of the business section of Polish Town. And we are only two blocks away from the Suffolk County Court Buildings. We live in an area where many of the former residences are now used as law offices and we are on the same block as is a group home for the mentally handicapped. They do cause absolutely no threat or harm to the community, but they do not add anything to the residential aspect of our community either.

We are less than one block from where the Polish Town Civic Association wants to leave a huge and ugly red and white tent up for several months over the summer. And we are within the area the police block off one weekend a year for thousands of people to trash our neighborhood during the Polish Town Fair. Amidst all of this activity, all the streets carrying the traffic between these places, traffic that has gotten so heavy that you had to install a traffic light less than one year ago at Griffing Avenue and Lincoln Street. That's less than one block from the Industrial Park.

I'm not asking you to abate those activities that already take place in this area, only to keep in mind the magnitude of them, when you consider plans to further rob our community of its residential climate.

I had an additional question. That's non nuisance industry. That sounds really similar to the old joke about military intelligence. I can't picture a non nuisance industry as a deterrent. It seems to be readily used. This is very much a residential area and I think it's a shame that it was zoned industrial or light industry so close to this area. Thank you."

Supervisor Janoski: "Thank you. Colonel what do you think about military intelligence? Is there anyone else present wishing to address the Town Board in the matter of this application? Mr. Schmelzer."

George Schmelzer "This area where this proposition is has always been a mixed area. The buildings been there before the other burned down. It was a big potato grading place, farm machinery garage. Farm supply stores. Everything. You can stand there and look in all directions. You'll find it's all mixed. So we've got the same stuff as before.

This NIMBY as you call it, Not In My Back Yard, put it somewhere else. But the land is there. Nobody likes any industry, let them buy it and look at it and walk on it. I say you should approve it. It's not a nuisance industry. The biggest nuisance industry is our own government. Which includes the Town, County, State and the Federal. Didn't get the United Nations yet, but that's a nuisance to the city where they park in the middle of the street with diplomatic plates. Ok. Thank you."

Supervisor Janoski: "George, thank you for being very succinct and direct. Is there anyone else present wishing to address the Town Board on the matter of this application? That being the case and without objection, I declare the hearing to be closed. Thank you Mr. Angel. Let the record show that the hour of 8:38 P.M. has arrived and the Town Clerk will please read the notice of public hearing."

Irene J. Pendzick, T. Clerk: "I have affidavits of publishing and posting for a public hearing to be held at Town Hall on Tuesday, April 17, 1990, at 8:30 P.M. where all interested persons who wish to be heard regarding the SUBMISSION OF THE TOWN OF RIVERHEAD'S COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR PHYSICAL YEAR 1990.

Supervisor Janoski: "Andrea."

Andrea Lohneiss: "Andrea Lohneiss Community Development Director of the Town of Riverhead. The purpose of this hearing tonight is to inform the public of the Town's proposed activities for it's 1990 Grant Application to the U. S. Department of Housing and Urban Development and to afford the citizens the opportunity to comment on these activities before the application is submitted. The Town proposes, this year, activities which will provide benefit to low and moderate income persons and will aide in the elimination of slum and blight. The first activity is

a neighborhood revitalization project in Millbrook Gables. Involving acquisition, lot clearance, preconstruction costs, rehabilitation expenses to provide seven units of single family affordable housing. Five new units and two rehabilitated units for sale. This is in conjunction with many other activities which have been accomplished in the past eighteen months or so involving Law Enforcement Personnel, Highway Department, the Community Awareness Program and Community Development Agency.

The second activity is the Home Improvement Program, which is a program which has been on going in Town for about ten years. We've accomplished over 250 home improvements for low and moderate income persons to upgrade substandard housing conditions townwide. We are asking for \$42,000.00 to extend this program as we have currently many more applications for funds than we have funds to provide the loans.

The third activity is the acquisition, demolition and new construction project in South Jamesport. South Jamesport has not yet in recent years received any Community Development funding and this project will remove four substandard structures from a half acre parcel on South Jamesport Avenue. We will clear the lot and we will construct two new single family units for sale to low and moderate income families. Administration is also included in this years application. The total grant of \$400,000.00 will be used to provide benefit to low and moderate income persons."

Supervisor Janoski: "Andrea, would you define low and moderate income individuals?"

Andrea Lohneiss: "Low and moderate income is a Hud defined Section 8 based on household size. The income limits were just increased February. About \$27,000.00 for one and I'm not exactly sure."

Supervisor Janoski: "I think it goes up to about \$50,000.00 for a family of four. I know that, but I just wanted to put that on the record."

Andrea Lohneiss: "Probably more like six."

Supervisor Janoski: "And these homes would require the securing of a mortgage for the acquisition for the-----"

Andrea Lohneiss: "Yes."

Supervisor Janoski: "And the individuals involved would become mortgage holders and taxpayers. Thank you."

Andrea Lohneiss: "First time home buyers. Are there any comments?"

Supervisor Janoski: "Dick Benedict."

Dick Benedict, Riverhead: "I just have one question. The last thing she said, that the administration is included in this. What exactly does that mean and how much?"

Andrea Lohneiss: "We are including \$50,000.00 in this year's application to support ----- the administration of the program is not exclusively salaried for example. Often in acquisition and particularly in property, projects involving property, there are legal expenses, development expenses that the Town pays just like any other developer. Surveying fees, permit fees, application fees, things of that nature."

Dick Benedict: "What percentage of that is the money we are getting? Is that consistent with the other Towns or any grants that size?"

Andrea Lohneiss: "The administration portion of the application is allowed to be up to 20 percent. This is about 12 per cent."

Dick Benedict: "Pretty good percentage. Thank you."

Supervisor Janoski: "Glad you like it Dick. Is there anyone else present wishing to address the Town Board on this Block Grant Application? Alice."

Alice Graff: "I approve of Andrea's work. She has done so much. She has worked so hard. As I was saying, I wonder if she weighs 98 pounds soaking wet. She's lost weight working hard here. I think she needs a lot of support. She has done a great job."

Supervisor Janoski: "Thank you Alice. George, I'm sure you want to add the punctuation mark to this."

George Schmelzer: "Well Alice has told us how much the lady weighs. Alice should tell us how much she weighs. In the past some houses have been rehabilitated. Did it ever come to pass that the houses one or more that have been rehabilitated was misused and had to be rehabilitated again?"

Andrea Lohneiss: "That has not occurred."

Councilman Lombardi: "Never happened, George."

George Schmelzer: "I'm glad the answer's no. Thank you."

Supervisor Janoski: "George, thank you. Is there anyone else present---- yes."

Gwendel Mista, Millbrook Gables Civic Assoc.: "First of all I don't like under correspondence, it says "The Greens." We are now Millbrook Gables. I approve of this grant as long as Millbrook Gables gets it's fair share. Thank you."

Irene Pendzick, T. Clerk: "I'd like to answer to that. That's the way the lady referred to the area in her letter and we try to stay true to the correspondence as much as possible."

Gwendel Mista: "That's a sore spot with us, though. Could you inform the lady, please don't use it. Well, write her back and tell her don't use it again."

Irene Pendzick: "Ok. That's a deal."

Supervisor Janoski: "Anyone else present wishing to address the Town Board in the matter of this application? That being the case and without objection I declare the hearing----oh, Gwen Branch."

Gwen Branch, Riverhead: "I would like to support the efforts of Andrea and say that the Millbrook Civic Association has been doing a tremendous job within the Community there and I hope that the Board will support the application, because they need support in that area and they need to know that the Town is behind them. Also the Community is working on a petition drive for sewers in that area. That will be submitted to Andrea also."

In addition, I know that the Riverhead-Southampton Community Center has approached the Board in the past about some funding. They have now separated themselves from EOC of Suffolk, which I think is a wonderful move. I'm hoping that the Board will support their efforts to continue to providing support to various members of the Community. Senior citizens who need help in advocacy programs whether it means housing, or support in terms of Social Security, or feeding programs. During the course of the year also during the strike of the Phone Company, I think approximately 60 families were able to go to their pantry there. So the program is not just for poor people, but for the entire Community and they need the help, especially since they are trying to build a program outside of EOC and as I said before, you know the history so that anything that you can do to support them would be greatly appreciated. Thank you."

Supervisor Janoski: "Thank you Gwen. Is anyone else present wishing to address the Board on the matter of this application? That being the case and without objection, I declare the hearing to be closed. The Town Board is going to have a short recess until 9 P.M." (Closed at 8:48)

Supervisor Janoski: (Reopen meeting (9:05) "The meeting will return to order. Mary Hatcher, could stick around after the meeting is over, I just want to ask you one little question. Ok. Let's continue with the resolutions."

RESOLUTION #254 - NOTICES FINDINGS STATEMENT OF EAST END COMMONS

Seconded by Councilman Prusinowski.

Prusinowski, yes; Stark, yes;

Councilwoman Civiletti: "You beat me to it. I wanted to ask a question so I was going to ask for a discussion."

Supervisor Janoski: "You can discuss."

Councilwoman Civiletti: "It's a question. Is the total square footage on this at 280 something, been changed?"

Supervisor Janoski: "Nobody's here from Planning. Do you have a copy of it?"

Councilman Prusinowski: "No that's all we have. Are you asking if it's the amount that Peter wanted from the transfer? Yes."

Irene J. Pendzick, T. Clerk: "It says maximum building area Section 108.35."

Councilwoman Civiletti: "It's alternate "B in other words."

Supervisor Janoski: "Yes it is."

Councilwoman Civiletti: "Which calls for a transfer, to the best of my recollection, of some 70,000 square feet--

Irene Pendzick, T. Clerk: "72,000"

Councilwoman Civiletti: "Seventy two thousand square feet. Well my recollection was close. From a parcel across the road, which I think reasonably can build out 35,000 square feet. I'm assuming a two story structure and I think that it is a little excessive. I think that we could have accomplished more if we wanted to on this particular site, and preserved the site across the way with a transfer of smaller number of square feet, more in line with what can actually be built upon it; which is what we are getting in exchange for this. I feel that I have to vote "no" on this transfer and on this application.

The other thing that I just wanted to mention, was that we were supposed to get a revised findings statement, that was also going to set forth the reason why we were ignoring or refusing to adopt the recommendation with regard to the ingress and egress on Oliver Street, that came out of the Department of Transportation. I think that it is important to include that reasoning in the finding statement, because we are, in fact denying the recommendation of another agency, and I think it ought to be in there. I don't know whether or not that made it into the final version, but I just have the notice in the package here. In any event, I vote "no."

Irene Pendzick, T. Clerk: "71,547 square feet."

Councilwoman Civiletti: "That's the transfer. For a total of 285,000 square feet."

The vote: Prusinowski, yes; Stark, yes; Lombardi, yes; Civiletti, no; Janoski, yes;

4 Yes and 1 No

RESOLUTION #255 - DETERMINES THE ENVIRONMENTAL SIGNIFICANCE OF AN OVERLAY PETITION OF OLIN WARNER

Introduced by Councilman Prusinowski and seconded by Councilman Stark.

The Vote: Prusinowski, yes; Stark, yes;

Councilwoman Civiletti: "I just have to say that I find myself almost in total agreement with George Schmelzer on this. I think that this whole situation is ridiculous and I'm sorry that the people that are in the situation are in it. We need to have a pow wow and think what we are going to do about it. I vote "Yes."

The Vote: Prusinowski, yes; Stark, yes; Civiletti, yes; Lombardi, yes; Janoski, yes.

5 YES

RESOLUTION #265 - RESCINDS RESOLUTION #241 OF APRIL 3, 1990 AND AMENDS SITE PLAN OF LAURAMA PROPERTIES

Councilwoman Civiletti: (introduced the resolution) "This rescinds Resolution #241 adopted at the last Town Board Meeting. It amends the Site Plan of Laurama Properties which is the building being constructed for Cabelvision on Route 58. So moved."

Seconded by Councilman Lombardi.

Councilwoman Civiletti: "Now I'll make a motion to amend.

The amendment that I would like to put forward is adding the second---well before the last result, adding second:

BE IT FURTHER RESOLVED that this approval and resolution be subject to the satisfactory agreement entered into in writing between the Supervisor and the developer committing the developer to undertake a Community Improvement Project to the satisfaction of the Town Board.

That's the amendment that I'd like to add."

Councilman Lombardi: "Second."

Supervisor Janoski: "Moved and seconded. Call a roll on the amendment."

Irene Pendzick, T. Clerk: "On the amendment."

The vote: Prusinowski, yes; Stark, yes; Civiletti, yes; Lombardi, yes; Janoski, yes.

5 YES AS AMENDED

Irene Pendzick, T. Clerk: "On the question."

The vote: Prusinowski, yes; Stark, yes; Civiletti, yes; Lombardi, yes; Janoski, yes.

5 YES

RESOLUTIONS #271 AND 272

Supervisor Janoski: "I have prepared resolutions which address the changes to the Temporary Greenhouses which were heard this morning. In order to provide a complete code, these were inadvertently left out of the former public hearings and the enactment which has already taken place. I would ask that the Town Board entertain what will be Resolutions #271 and 272."

Councilwoman Civiletti: "These are the ones that we just had the public hearing on."

Supervisor Janoski: "Which would put into the code those changes to the code regarding temporary greenhouses and setback requirements regarding greenhouses."

Councilman Stark: "So moved."

Councilman Prusinowski: "Seconded."

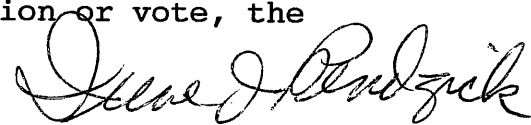
Supervisor Janoski: "Moved and seconded."

The vote: Prusinowski, yes; Stark, yes; Civiletti, yes; Lombardi, yes; Janoski, yes.

5 YES

There being no further business on motion or vote, the meeting adjourned at 9:15 P.M.

IJP:ch


Irene J. Pendzick
Town Clerk